



General Assembly

***Raised Bill No. 5211***

***February Session, 2006***

LCO No. **982**

\*        HB05211GL        041106        \*

Referred to Committee on Judiciary

Introduced by:  
(JUD)

***AN ACT CONCERNING UNDERAGE DRINKING.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (*Effective October 1, 2006*) (a) No person having  
2       possession of, or exercising dominion and control over, any dwelling  
3       unit or private property shall (1) knowingly permit any minor to  
4       possess alcoholic liquor in violation of subsection (b) of section 30-89 of  
5       the general statutes, as amended by this act, in such dwelling unit or  
6       on such private property, or (2) knowing that any minor possesses  
7       alcoholic liquor in violation of subsection (b) of section 30-89 of the  
8       general statutes, as amended by this act, in such dwelling unit or on  
9       such private property, fail to make reasonable efforts to halt such  
10      possession. For the purposes of this subsection, "minor" means a  
11      person under twenty-one years of age.

12      (b) Any person who violates the provisions of subsection (a) of this  
13      section shall, for a first offense, have committed an infraction and, for  
14      any subsequent offense, be fined not more than five hundred dollars or  
15      imprisoned not more than one year, or both.

16 Sec. 2. Subsection (b) of section 30-89 of the general statutes is  
17 repealed and the following is substituted in lieu thereof (*Effective*  
18 *October 1, 2006*):

19 (b) Any minor who possesses any alcoholic liquor [on any street or  
20 highway or in any public place or place open to the public, including  
21 any club which is open to the public, shall be fined not less than two  
22 hundred nor more than five hundred dollars] on public or private  
23 property shall, for a first offense, have committed an infraction and, for  
24 any subsequent offense, be fined not less than two hundred dollars or  
25 more than five hundred dollars. The provisions of this subsection shall  
26 not apply to (1) a person over age eighteen who is an employee or  
27 permit holder under section 30-90a and who possesses alcoholic liquor  
28 in the course of [his] such person's employment or business, (2) a  
29 minor who possesses alcoholic liquor on the order of a practicing  
30 physician, or (3) a minor who possesses alcoholic liquor while  
31 accompanied by a parent, guardian or spouse of the minor, who has  
32 attained the age of twenty-one. Nothing in this subsection shall be  
33 construed to burden a person's exercise of religion under section 3 of  
34 article first of the Constitution of the state in violation of subsection (a)  
35 of section 52-571b.

36 Sec. 3. Subsection (b) of section 30-86 of the general statutes is  
37 repealed and the following is substituted in lieu thereof (*Effective*  
38 *October 1, 2006*):

39 (b) (1) Any permittee or any servant or agent of a permittee who  
40 sells or delivers alcoholic liquor to any minor [,] or [to] any intoxicated  
41 person, or to any habitual drunkard, knowing the person to be such an  
42 habitual drunkard, shall be subject to the penalties of section 30-113.

43 (2) Any person who sells, ships, delivers or gives [any such liquors  
44 to such] alcoholic liquor to a minor, by any means, including, but not  
45 limited to, the Internet or any other on-line computer network, except  
46 on the order of a practicing physician, shall be fined not more than one  
47 thousand five hundred dollars or imprisoned not more than eighteen

48 months, or both.

49 (3) The provisions of this [section] subsection shall not apply [(1)]  
 50 (A) to a sale, shipment or delivery made to a person over age eighteen  
 51 who is an employee or permit holder under section 30-90a and where  
 52 such sale, shipment or delivery is made in the course of such person's  
 53 employment or business, [(2)] (B) to a sale, shipment or delivery made  
 54 in good faith to a minor who practices any deceit in the procurement of  
 55 an identity card issued in accordance with the provisions of section 1-  
 56 1h, as amended, who uses or exhibits any such identity card belonging  
 57 to any other person or who uses or exhibits any such identity card that  
 58 has been altered or tampered with in any way, or [(3)] (C) to a  
 59 shipment or delivery made to a minor by a parent, guardian or spouse  
 60 of the minor, provided such parent, guardian or spouse has attained  
 61 the age of twenty-one and provided such minor possesses such  
 62 alcoholic liquor while accompanied by such parent, guardian or  
 63 spouse.

64 (4) For the purposes of this subsection, "minor" means a person  
 65 under twenty-one years of age.

66 (5) Nothing in this subsection shall be construed to burden a  
 67 person's exercise of religion under section 3 of article first of the  
 68 Constitution of the state in violation of subsection (a) of section 52-  
 69 571b.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2006	New section
Sec. 2	October 1, 2006	30-89(b)
Sec. 3	October 1, 2006	30-86(b)

**JUD**      *Joint Favorable*

**GL**      *Joint Favorable*